IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

FRIDAY, THE 25TH MAY 2007 / 4TH JYAISHTA 1929

CRP.No. 2479 of 1998(H)

A7-SM.7/76/MVA of TALUK LAND BOARD, MUVATTUPUZHA

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REVN. PETITIONERS/PETITIONERS

1.SOSAMMA W/O LATESRI.VARKEY DAVID
PULINATTU, MANARIKARA, MULAVOOR VILLAGE
MUVATTUPUZHA

2. P.D.VARGHESE, S/O VARKEY DAVID, PULINATTU
(SARA BHAVAN), PATHIRIYADU, KOOTHUPARAMBU
THALASSERY

3. P.D.CHINNAMMA, D/O VERKEY DAVID
(W/O MATHAI) PARAKUDY VEEDU
NELLIMATTOM P.O, KOVALANGADU
KOTHAMANGALAM

4. P.D.GEORGE S/O VARKEY DAVID, PULINATTU
THRIKKALATHOR, MULAVOOR

5. P.D.ISSAC, S/O VARKEY DAVID, PULINATTU
MANARY KARA, MULAVOOR

6. SOMY P. DAVID, D/O VARKEY DAVID (W/O, THAMPY)
KAKKANATTU , KUNNACKAL, VALAKOM

BY ADV. SRI.M.C.CHERIAN
SMT.ASHA CHERIAN

RESPONDENTS/RESPONDENTS

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1. TALUK LAND BOARD AND REVENUE DIVISIONAL OFFICER
MUVATTUPUZHA

2. STATE OF KERALA REPRESENTED BY
THE SECRETARY (REVENUE)
SECRETARIAT, TRIVANDRUM

3. THAHSILDAR, MUVATTUPUZHA

BY GOVERNMENT PLEADER SHYSON P.MANGUZHA

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 25/05/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

PIUS.C.KURIAKOSE. J.

C.R.P No. 2479 of 1998

Dated this the 25th day of May 2007

ORDER

In view of the obvious position that the impugned order dated 30-10-1998 was passed by the Taluk Land Board, Muvattupuzha without hearing the petitioners who being the legal representatives of the deceased Varkey David were the owners of the property presently ordered to be surrendered, the order is liable to be set aside. I set aside the order and direct the Taluk Land Board, Muvattuppuzha to pass fresh orders after hearing the petitioners. It is needless to mention that the petitioners who have already submitted option statement will be bound by their options. Fresh order as directed above will be passed at the earliest and at any rate within four months of receiving copy of this judgment.

C.R.P. is allowed as above. No costs.

PIUS.C.KURIAKOSE,JUDGE

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